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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,569	10/24/2003	Judith D. Auslander	F-736	9107

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EXAMINER

NGUYEN, KIMBERLY D

ART UNIT PAPER NUMBER

2876

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/692,569

Applicant(s)

AUSLANDER ET AL.

Examiner

Kimberly D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 and 24-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Amendment

1. Acknowledgment is made of Restriction/Election Response filed June 6, 2005.

Claim Objections

2. Claim 4 is objected to because of the following informalities:

Claim 4, line 1: Substitute "postage meter indicium" with "a postage meter indicium".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 11-12, 16, 18-20 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Sansone (US 6,108,643).

Sansone teaches a system for printing an indicium on an item, the system comprising a print head system (43 in fig. 6; col. 5, line 61) adapted to print at least two different inks ("indicia 25 may be printed with a normal black ink" col. 3, line 24 and "encrypted code 73 may be printed with a dual luminescent ink" col. 4, lines 63-64) onto the item (70 in fig. 5), the print head system (fig. 6) comprising a first supply of a first ink (e.g., normal black ink) having a first color under normal daylight and a second supply of a second different ink (e.g., luminescent ink), the second different ink having a second color under a normal daylight which is

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substantially the same as the first color, and wherein the second ink comprises a fluorescent ink;
and

a controller (51 in fig. 6) for controlling application of the first and second inks by the print head system on the item, wherein the controller is adapted to print the first and second inks in at least partially intermixed patterns such that the patterns of the first and second inks are substantially visually indiscernible within the indicium in normal daylight (see fig. 5; encrypted code 73 is partially intermixed patterns with the indicia 25 and is printed with luminescent ink, which is substantially visually indiscernible within the indicium in normal daylight (see col. 4, line 63 through col. 5, line 6)), and the second pattern of the second ink is discernible from the first pattern when subjected to fluorescent-exciting radiation ("Encrypted code 73 may be printed with a dual luminescent ink, i.e., an ink that is fluorescent and phosphorescent when radiated with ultraviolet light." col. 4, lines 63-65) (col. 5, lines 21-55).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone (US 6,108,643) in view of Parkos (US 5,912,682). The teachings of Sansone have been discussed above.

Re claim 13: Sansone fails to teach or fairly suggest the print head system comprising at least two print heads.

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Parkos teaches a print head system comprising a pair of ink jet print heads (42 in fig. 4; col. 4, lines 1-19; col. 6, line 65 through col. 7, line 15).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate a printer system with a pair of print heads as taught by Parkos to the teachings of Sansone in order to print desired information with unique ink characteristics by using different dedicated print head(s) for each ink, and thus speeding up the processing time when two types of the unique inks are utilized.

Re claim 14: Sansone fails to teach or fairly suggest the print head system comprises a single print head adapted to pass by an area on the item at least two times, a first one of the times for printing the first ink and a second one of the times for printing the second ink.

Parkos teaches "a single print head including a first set of nozzles coupled to a first ink reservoir and a second set of nozzles coupled to a second ink reservoir where the first ink and the second ink have different characteristics could easily be substituted..." (col. 8, lines 4-8).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the printing system with a single print head as taught by Parkos to the teachings of Sansone in order to provide a single print head with different first ink and second ink to print the item and thereby the print head is adapted to pass by an area on the item at least two times, a first one of the times for printing the first ink and a second one of the times for printing the second ink as set forth in the claim. Accordingly, the processing time will be greatly reduced.

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7. Claims 15, 17 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sansone (US 6,108,643) in view of Sarada et al. (US 5,569,317; hereinafter "Sarada"). The teachings of Sansone have been discussed above.

Although, Sansone teaches the controller (51 in fig. 6) for controlling the first and second inks by the print head system (col. 5, line 58 through col. 6, line 5).

Sansone fails to teach or fairly suggest the second ink is at least partially on top of the first ink.

Sarada teaches a postal indicia (11 in fig. 3) having the bars (17, 18 and 19), which sorting information may be encoded into the bars, wherein the encoded sorting information is printed with fluorescent ink and the bars are printed with non-fluorescent ink ("For instance, each of bars 17, 18 and 19 may be printed with the fluorescent ink, none of the bars may be printed with the fluorescent ink..." col. 3, lines 3-24), which serves as the second ink is at least partially on top of the first ink.

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to integrate fluorescent information encoded into a non-fluorescent bars as taught by Sarada to the teachings of Sansone in order to convey additional information without using additional space within the indicium. Moreover, such integration of the two data on top of each other would prevent any alteration by an unauthorized personnel.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references

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in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Connell et al. (US 5,554,842) teaches luminescent facing marks for enhanced postal indicia discrimination. Buan et al. (US 5,414,449) teaches thermal transfer printing apparatus. Agnew et al. (US 5,291,002) teaches system for generating machine readable codes to facilitate routing of correspondence using automatic mail sorting apparatus.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KDN
July 21, 2005